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10 Attorneys for Plaintiffs,
11 NORTHERN CALIFORNIA GLAZIERS,
12 et al. PENSION PLAN, et al.

13 UNITED STATES DISTRICT COURT
14 FOR THE NORTHERN DISTRICT OF CALIFORNIA

15 NORTHERN CALIFORNIA GLAZIERS,
16 ARCHITECTURAL METAL AND GLASS
17 WORKERS PENSION PLAN, et al.,

18 Plaintiffs,

19 v.

20 AUTO GLASS LIMITED, et al.,

21 Defendant.

Case No.: C 07-0802 JL

**PLAINTIFFS' REQUEST FOR
DISMISSAL OF CASE MANAGEMENT
CONFERENCE;**

**Date: August 15, 2007
Time: 10:30 a.m.**

~~(PROPOSED)~~ ORDER

22 Plaintiffs submit a Request for Continuance of the Case Management Conference currently
23 scheduled for August 15, 2007 at 10:30 a.m., to allow the parties to finalize resolution of this
24 matter.

25 1. The complaint in this action was filed on February 7, 2007 to compel defendant to
26 allow plaintiffs to audit its records in accordance with its collective bargaining agreement, and for
27 payment of any amount found due upon audit.

28 2. **The Defendants did not make an appearance in this action**, but agreed to an
audit, which was performed to the extent documents were available.

3. Plaintiffs have requested further documentation and payment of amounts due as a

1 result of the audit. In the alternative, Plaintiffs will file a Motion for Default Judgment.

2 4. Plaintiffs therefore **request that the Case Management Conference be**
3 **dismissed** to allow the Defendant to resolve this matter, or for Plaintiffs to prepare and file their
4 Motion for Default Judgment.

5
6 Dated: August 8, 2007

Respectfully submitted,
SALTZMAN & JOHNSON LAW CORPORATION

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8 By: _____/s/_____
9 Muriel B. Kaplan
Attorneys for Plaintiffs

10
11 **ORDER**

12 The Case Management Conference scheduled in this matter for August 15, 2007, at 10:30
13 a.m. is ~~hereby dismissed~~, pending dismissal of this action or Plaintiffs' filing of a Motion for
14 Default Judgment.

15 IT IS SO ORDERED.

16
17 Dated: August 9, 2007

18 
UNITED STATES DISTRICT COURT JUDGE

PROOF OF SERVICE

I, the undersigned, declare:

I am employed in the County of San Francisco, State of California. I am over the age of eighteen and not a party to this action. My business address is 120 Howard Street, Suite 520, San Francisco, California 94105

On August 8, 2007, I served the foregoing document(s) on the parties to this action, addressed as follows, in the manner described below:

**PLAINTIFFS' REQUEST FOR CONTINUANCE OF CASE MANAGEMENT
CONFERENCE; (PROPOSED) ORDER**

- ☒ **MAIL**, being familiar with the practice of this office for the collection and the processing of correspondence for mailing with the United States Postal Service, and deposited in the United States Mail copies of the same to the business addresses set forth below, in a sealed envelope fully prepared.
- ☐ **FACSIMILE** be causing said document(s) to be transmitted by Facsimile machine to the number indicated after the address(es) set forth below.
- ☐ **UPS** for delivery the following business day by placing same for collection by UPS to the business addresses set forth below.
- ☐ **PERSONAL DELIVERY** by placing said document(s) in a sealed envelope and causing it to be personally delivered to the address(es) set forth below.
- ☐ **ELECTRONICALLY** be causing said document(s) to be transmitted by Email to the address(es) set forth below.

Addressed to: **Richard Dominguez**
 Auto Glass Limited
 439 Lambert Avenue
 Palo Alto, CA 94306

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on this 8th day of August, 2007, at San Francisco, California.

_____/s/_____
Andrea Gonzalez